

Message Text

UNCLASSIFIED

PAGE 01 TOKYO 04428 040708Z

20

ACTION L-03

INFO OCT-01 EA-11 ISO-00 CIAE-00 COME-00 DODE-00 DOTE-00

EB-11 FMC-04 INR-10 NSAE-00 RSC-01 CG-00 COA-02

DLOS-06 SWF-02 DRC-01 H-03 /055 W

----- 078927

R 040630Z APR 74

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 1042

UNCLAS TOKYO 4428

E.O. 11652: N/A

TAGS: JA, PBOR

SUBJECT: CONGRESSIONAL REQUEST FOR INFORMATION: NANCY LYKES
AND MARGARET CORD COLLISION

REF: (A) STATE 025760 (B) TOKYO 2135 (C) TOKYO 2402

1. IN RESPONSE TO EMBASSY'S INQUPRY AS TO WHETHER OR NOT
THE SITE OF COLLISION OF SUBJECT VESSELS LIES WITHIN
JAPANESE INTERNAL OR TERRITORIAL WATERS, DIRECTOR OF
FOREIGN OFFICE LEGAL AFFAIRS DIVISION HAS SENT LETTER EX-
PREESSING OPINION REPEAT OPINION OF THAT DIVISION THAT
COLLISION OCCURRED WITHIN INTERNAL WATERS.

2. HOWEVER, DIRECTOR STATED THAT FOREIGN OFFICE HAS NO
AUTHORIZATIN TO DRAW BASELINES ALONG COASTS OR CLOSING
LINES ALONG RAYS OF JAPAN. ACCORDINGLY, QTE COMPETENT
AUTHORITIES OF THE GOJ WILL LOOK INTO THE QUESTION
RAISED UNQTE. IN CLOSING THE DIRECTOR ADDED THAT HIS
OPINION WAS ONLY UNOFFICIAL VIEW, WHICH CAN NEITHER
COMMIT POSITION OF GOJ NOR BE PRESENTED IN LEGAL
COURT AS OFFICIAL GOJ POSITION.

3. IN RECENT TELCON BETWEEN EMBOFF AND A NORWEGIAN
ATTORNEY IN KOBE WHO IS CORRESPONDENT FOR AMERICAN

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ATTORNEYS REPRESENTING DANISH VESSEL, KOBE ATTORNEY

ADVISED THAT QUESTION IS NOT WHETHER SITE LIES WITHIN INTERNNAL
OR TERRITORIAL WATERS, BUT WHETHER
WITHIN TERRITORIAL OR INTERNATIONAL WATERS. KOBE
ATTORNEY HAD COPY OF TOKYO 2402 AND REFERRED TO IT
DURING TELCON. KOBE ATTORNEY ADVISED THAT DANISH
EMBASSY TOKYO INTENDS MAKING WRITTEN INQUIRY TO FONOFF ON
TERRITORIAL/INTERNATIONAL WATER QUESTION.

4. WE REVISING OUR QUESTION ACCORDINGLY AND RESUBMITTING TO
FONOFF.
SHOESMITH

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PERSONAL OPINION, TERRITORIAL WATERS, SHIPS, DIPLOMATIC DISCUSSIONS, TERRITORIAL WATERS VIOLATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 04 APR 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974TOKYO04428
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740075-0951
From: TOKYO
Handling Restrictions: n/a
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30 JUN 2005

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